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HARYANA GOVERNMENT

REVENUE & DISASTER MANAGEMENT DEPARTMENT

Notification

The 2nd September, 2021

Policy for Fixation of Market Rate of land in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions &Urban Local Bodies.

No. 391-ARIC-I-2021/6273.— dated 6th July, 2021

1. INTRODUCTION

Different Departments of the Government have constituted different committees for fixation of reserve/ market rate of land for various purposes. In this regard, the Urban Local Bodies Department have constituted a committee comprising of Divisional Commissioner; Deputy Commissioner; Commissioner, Municipal Corporation concerned; Special Secretary; Joint Commissioner and District Town Planner concerned in respect of Municipal Corporations other than Faridabad and Gurugram. Similarly, the said Department has constituted a committee for Municipal Corporation Faridabad comprising of Divisional Commissioner, Faridabad; Deputy Commissioner Faridabad; Commissioner Municipal Corporation Faridabad and Chief Town Planner Faridabad. In addition, the said Department, has constituted a committee for Municipal Corporation Gurugram, comprising of Divisional Commissioner, Gurugram; Deputy Commissioner Gurugram; Commissioner Municipal Commissioner Gurugram, Joint Secretary of the Department and Chief Town Planner. Other Departments might have constituted similar committees for the valuation of market rate of land and there is every likelihood that different yardsticks by different committees might have been adopted in the matter. Consequently, this gives rise to multiplicity of legal complications. Therefore, there is a need to provide a policy for fixation of market rate of land in the State for all the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies.

2. SHORT TITLE

This Policy may be called the Policy for Fixation of Market Rate of land in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions &Urban Local Bodies.

3. Objectives

One of the objectives of the policy is that in the absence of crystal clear guidelines, many Departments of the Government including their entities have been experiencing difficulties in transferring their unutilized lands of minor nature including its abandoned paths etc to the private bodies, being situated in between their lands and is thus, a

stumbling block in the fast development of their projects, besides, affecting the revenue of the State to a considerable extent. More to it, there is encroachment or authorized/unauthorized possession over such lands/immovable properties resulting in unfruitful litigation under the different relevant statutes viz. the Punjab Village Common Lands (Regulations) Act, 1961 (Punjab Act No.18 of 1961);the Haryana Public Premises and Land (Eviction And Rent Recovery) Act, 1972 (Act No. 24 Of 1972) and other relevant statutes including Rules framed thereunder, besides, involvement of human resources without any tangible results. Therefore, there is a need to provide a Policy in the matter under the Revenue Department, being Nodal Department.

4. Definitions

In this Policy unless the context otherwise requires means:

(i) **Empanelled Valuers**:- means the valuers empanelled by the Revenue Department out of those registered by the Income Tax Department, State Bank of India and Government owned Insurance Companies.

(ii) **Standing Committee**:- means the committee of officers and empanelled valuers for fixation of market value of land in the State for All the Departments of the Government, Boards, Corporations, Panchayati Raj Institutions & Urban Local Bodies. (Composition of Committee at Annexure-A)

(iii) **Panchayati Raj Institutions**:- means the institutions constituted under the Haryana Panchayati Raj Act, 1994 (Haryana Act No. of 1994).

(iv) **Urban Local Bodies**:- means the Municipal Committees and Municipal Councils constituted under the Haryana Municipal Act, 1973 (Haryana Act No. of 1973); Municipal Corporations constituted under Haryana Municipal Corporation Act, 1994 (Haryana Act No. of 1994) and Haryana Town Improvement Act, 2008 (Haryana Act No.36 of 2008).

5. Procedure

(i) Documents & their verification by the revenue team of the Divisional Commissioner:

(a) Land records i.e., copies of jamabandi, mutation, khasra girdawari, aksh shijra, field book shall be made available by the O/o Deputy Commissioner concerned.

(b) The title of the property including ownership, khasra numbers shall be verified online from the Web-HALRIS portal by the revenue team of the Divisional Commissioner. It is to be ensured that the land is in complete khasra number(s) with specific karukan (length & breadth i.e. field book) and not in share in any manner, as per ownership column of the jamabandi.

(ii) Selection of valuers and valuation of the property:

(a) The Revenue and Disaster Management Department shall empanel the valuers being drawn from the registered valuers of the Income Tax Department, State Bank of India and Government owned Insurance Companies relevant to the State of Haryana. The said Department shall also notify Code of Ethics for Empanelled Valuers for ensuring that the valuers follow the Code and can be de-panelled, in case the Code is violated.

(b) Firstly, out of the three valuers in the Committee, one shall be nominated by the Administrative Department, the second valuers shall be chosen from the panel by the second/opposite party and the third shall be chosen as agreed upon both by the Administrative Department and second/opposite party. In case, there is no consensus on the third valuer, the same shall be nominated by the Administrative Department.

(c) The valuers shall submit their report in 10 days from the date they are so requested.

(d) The Standing Committee shall meet within 7 days of the receipt of report by the three valuers.

(e) The Standing Committee shall include the three official members, as mentioned in Annexure A and the Committee shall be free to invite the valuers concerned to participate in its deliberations.

(f) The Standing Committee shall, thereafter, workout the mean of the valuation made by the three valuers.

(iii) Determination of final market value:

(a) The standing Committee shall determine the market value of the land in accordance with the above procedure, provided that the same shall not be less than the collector rates fixed under the Indian Stamp Act, 1899 for the registration of sale deeds in the area, where the land is situated.

(b) The final market value shall be conveyed by the Standing Committee to the Government Department and its entity, as the case may be.

(c) In case if the concerned builder/private entity is ready to pay double the amount of the latest Collector rate fixed under the Indian Stamp Act, 1899 for the registration of sale deeds of the land under reference or average of two deeds of highest amount during the preceding year in the revenue estate pertaining to the same kind of land/immovable property, whichever is higher, the appropriate decision can be taken by the concerned Department with the approval of Hon'ble Chief Minister and the other procedure prescribed in the policy shall not be applicable, with the clarification that this will apply to sale only by the Government or Local Authority.

(d) After receipt of full price of the land, the conveyance deed shall be got executed by the concerned Government Department and got registered under the Registration Act, 1908 (Central Act 16 of 1908) after paying the stamp duty and registration fees by the second / opposite party.

SANJEEV KAUSHAL,
Financial Commissioner, Revenue & Additional
Chief Secretary to Government Haryana,
Revenue and Disaster Management Department.

Annexure-A

Standing Committee

1.	Divisional Commissioner concerned	Chairperson
2.	District Revenue Officer concerned	Member Secretary
3.	One Departmental Officer in the Head Quarter/ District, in whose charge the land to be disposed of lies, as nominated by the Head of Department	Member
4.	valuer registered by Income Tax Department	Member
5.	valuer registered by State Bank of India	Member
6.	valuer registered by Government owned Insurance Company	Member

Note:- The Chairperson may invite any other officer/expert to participate in its meeting.

9309—C.S.—H.G.P., Pkl.